

After Recording Return to:
Eugene W. Spray
59 Onnie Colquitt Road
Crawford, GA 30630

CROSS-REFERENCE: Deed Book: 20A
Page: 643

Environmental Covenant

This instrument is an Environmental Covenant executed pursuant to the Georgia Uniform Environmental Covenants Act (hereinafter "Act"), O.C.G.A. § 44-16-1, *et seq.* This Environmental Covenant is entered into by Eugene W. Spray and the State of Georgia, Department of Natural Resources, Environmental Protection Division (hereinafter "EPD") and subjects the property identified below to the activity and/or use limitations and other requirements and grants such other rights in favor of EPD and Eugene W. Spray as set forth herein.

Fee Simple Owner/Grantor:

Eugene W Spray
59 Onnie Colquitt Rd
Crawford, GA 30630

**Grantee/Holder with the
power to enforce:**

Eugene W Spray
59 Onnie Colquitt Rd
Crawford, GA 30630

**Grantee/Entity with
express power to enforce:**

State of Georgia
Department of Natural Resources
Environmental Protection Division
2 Martin Luther King Jr. Drive, SE
Suite 1456 East Tower
Atlanta, GA 30334

**Persons with Interests
other than Fee Simple:**

See Attached

Property Subject

The property subject to this Environmental Covenant is located on 1623 Athens Road, Arnoldsville, Oglethorpe County, Georgia, and further identified by the tax parcel ID number below (hereinafter "Property"). This tract was conveyed on July 5, 2008 from Jennifer Spray to Eugene W. Spray recorded in Deed Book 20A, Page 643 Oglethorpe County Records. The tract is located in the 1303rd District of Oglethorpe County, Georgia, containing 1.17 acres, more or less, being bounded , now or formerly as follows: on the Southeast and Southwest by H.H. Spray, on the Northwest by Wolfskin Road; and on the Northeast by U.S. Highway 78. A legal description of the tract is attached as Exhibit A and a map of the tract is attached as Exhibit B.

DOCH 002719
FILED IN OFFICE
12/15/2017 10:21 AM
BK:84 PG:643-654
KELLI PARADISE SMITH
CLERK OF SUPERIOR
COURT
OGLETHORPE COUNTY

Use Limitations

Real Property

The Property shall be used only for non-residential uses, as defined in Section 391-3-19-.02 of the Rules as of the date of this Environmental Covenant. Any residential use on the Property shall be prohibited. Any activity on the Property that may result in the release or exposure to the regulated substances that were contained as part of the Corrective Action, or create a new exposure pathway, is prohibited.

Other Requirements

Notice of Limitations and Requirements in Future Conveyances

Each instrument hereafter conveying any interest in the Property (or any portion thereof) shall include a statement that the Property is subject to this Environmental Covenant, a copy of the Environmental Covenant and the location in the Deed Records where this Environmental Covenant is recorded.

Pursuant to O.C.G.A. § 44-16-6, this Environmental Covenant shall not be construed to authorize a use of the Property that is otherwise prohibited by zoning, ordinance, local law or general law or by a recorded instrument that has priority over this Environmental Covenant.

Rights of Access and Enforcement

Authorized representatives of EPD and/or Eugene W. Spray shall have the right to enter the Property at reasonable times in connection with implementation, compliance and/or enforcement of this Environmental Covenant. This Environmental Covenant shall be enforceable by EPD, Eugene W. Spray and other parties as provided in the Act. Such rights of access and enforcement herein shall not limit EPD's authority under other applicable law.

No Interest in Real Property in EPD

EPD's rights under this Environmental Covenant and the Act shall not be considered an interest in real property.

Recording of Environmental Covenant and Service on Other Persons

Within thirty (30) days after execution of this Environmental Covenant by the Director, Eugene W. Spray shall record the Environmental Covenant in every county in which any portion of the Property is located in accordance with the law governing the recording and priority of interests in real property. Within thirty (30) days after recording of the Environmental Covenant, Eugene W. Spray shall send a stamped copy of the recorded Environmental Covenant to EPD and to each of the following: (1) each person holding a recorded interest in the Property; (3) each person in possession of the Property; (4) each municipality, county, consolidated government, or other unit of local government in which the Property is located; and (5) each owner in fee simple whose property abuts the Property.

Environmental Covenant
Wolfskin Subdivision - 1623 Athens Road
Arnoldsville, Oglethorpe County, Georgia
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BK-84

RECEIVED
Land Protection Branch

APR 27 2017

Hazardous Waste

EPD's Environmental Covenants Registry

This Environmental Covenant and any amendment thereto or termination thereof may be included in EPD's registry for environmental covenants.

Severability

Should any provision of this Environmental Covenant be found by a court of competence jurisdiction to be invalid and/or unenforceable in any respect, the remaining provisions shall continue in full force and effect.

Effective Date

This Environmental Covenant shall be effective on the date the fully executed Environmental Covenant is recorded in accordance with O.C.G.A. § 44-16-8(a).

Grantor has caused this Environmental Covenant to be executed pursuant to the Georgia Uniform Environmental Covenants Act on the _____ day of _____, 20____.

Signed, sealed, and delivered in the presence of:

Janice Spray
Unofficial Witness (Signature)

Janice Spray
Unofficial Witness Name (Print)

WILLIAM LAMAR ABH
Unofficial Witness Address (Print)

Marianne Molinaro
Notary Public (Signature)

My Commission Expires: 8/13/17

For the Grantor:

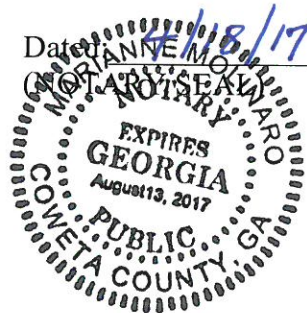
Eugene W. Spray
Name of Grantor (Print)

Eugene W. Spray
Grantor's Authorized Representative (Signature)

Authorized Representative Name (Print)

Eugene W. Spray
Title of Authorized Representative (Print)

Date



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EK:84 PG:649

Signed, sealed, and delivered in the presence
of:

Sydney Brogden

Unofficial Witness (Signature)

Sydney Brogden

Unofficial Witness Name (Print)

2 MLK Jr. Dr SE

Atlanta, GA 30334

Unofficial Witness Address (Print)

Tamara C. Fischer

Notary Public (Signature)

My Commission Expires: 7-27-18

For the State of Georgia
Environmental Protection Division:

R. E. Dunn (Seal)
(Signature)
Richard E. Dunn

Director

Dated: 11/15/17

(NOTARY SEAL)

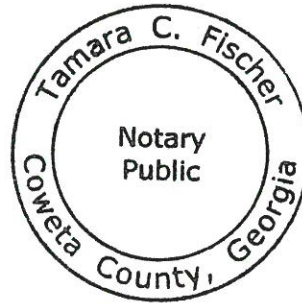


Exhibit A

Legal Description

BK:84 FG:652

Exhibit B

Map

**Environmental Covenant
Persons with Interests other than Fee Simple
Wolfskin Subdivision - 1623 Athens Road
Arnoldsville, Oglethorpe County, Georgia**

W. L. Ash
1615 Athens Road
Crawford, GA 30630

Sarah Floyd
10 Wolfskin Road
Arnoldsville, GA 30619

O Arnoldsvile Road
Doris Dawson
P.O. Box 103
Arnoldsville, GA 30619

1594 Arnoldsville Road
MABG Investments II, LLP
2570 Lake Erin Drive
Tucker, GA 30084

Crawford City Water Works
779 Water Works Rd
Crawford, GA 30630

Rayle Electric Membership Corporation
786 Athens Road
Lexington, GA